

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TQP DEVELOPMENT, LLC

V.

MERRILL LYNCH & CO., INC., ET AL.

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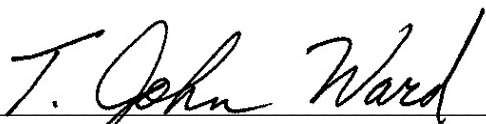
CIVIL NO. 2:08-CV-471(TJW-CE)

ORDER

This case is set for a status conference in Marshall, Texas, on December 14, 2009, at 2:40 p.m., before the Honorable T. John Ward and the Honorable Chad Everingham. The purpose of the conference will be to assign a claim construction hearing date and a trial setting. The parties shall be prepared to inform the Court whether they will consent to trial before the Magistrate Judge.

In view of the holidays, the parties shall submit their proposed docket control and discovery orders to the court on January 14, 2010. If the parties are unable to resolve their disagreements concerning these orders, the parties shall submit to the court their competing proposals along with a summary of their disagreements. For purposes of computing the time deadlines under the local patent rules, the court deems January 29, 2010 to be the date of the initial case management conference. As a result, the "Disclosure of Asserted Claims and Infringement Contentions" is due on January 14, 2010.

SIGNED this 24th day of November, 2009.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE